

REMARKS

Claims 1-8 are pending in the application. It is gratefully acknowledged that Claims 4-8 have been allowed. It is also gratefully acknowledged that Claim 2 has been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. The Examiner has rejected Claim 1 under 35 U.S.C. §102(e) as being anticipated by Ito (U.S. Patent 6,408,039). The Examiner has rejected Claim 3 under 35 U.S.C. §103(a) as being unpatentable over Ito. In addition, the Examiner has stated that the Priority documents have not been received. Finally, the Examiner objected to the specification because of informalities.

It is respectfully submitted that the Priority document was filed on August 25, 2003. It is respectfully requested that the Examiner acknowledge receipt of the Priority document.

Regarding the objection to the Specification, the Examiner states that a description of Fig. 3 is missing from the section "Brief Description of the Drawings". The specification has been amended to include the description of Figure 3. Withdrawal of the objection is respectfully requested.

Regarding the rejection of Claim 1 under §102(e), the Examiner states that Ito discloses all of the elements recited in Claim 1. Claim 1 recites "a symbol combiner for combining symbol data except for symbol data whose signs are inverted due to fading among the symbol data received from the fingers." Ito does not disclose this element. All Ito discloses is that phase errors are adjusted for and a symbol combiner for combining finger symbols outputted by search/finger unit, and not that symbol data whose signs are inverted are excepted from symbol combining. Based on at least the foregoing distinction, withdrawal of the rejection of Claim 1 is respectfully requested.

Independent Claim 1 is believed to be in condition for allowance. Without conceding the patentability per se of dependent Claim 3, this is likewise believed to be allowable by virtue of its dependence on its respective independent claim. Accordingly, reconsideration and withdrawal of the rejection of dependent Claim 3 is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1-8, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Farrell". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

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